

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL NO. _____
v. : DATE FILED: _____
DENNIS F. CASEY : VIOLATION: 18 U.S.C. § 1343
(Wire fraud – 1 count)

I N F O R M A T I O N

C O U N T 1

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to this Information:

1. Defendant DENNIS F. CASEY was the owner and operator of Dennis F. Casey, Inc. (“Casey”), 3760 Frankford Avenue, Philadelphia, Pennsylvania, an HVAC (heating, ventilator, and air conditioning) contractor.
2. First Capital Services, Inc. (“First Capital”), 2300 Glades Road, 450 West Tower, Boca Raton, Florida, and 407 Church Street NE, Suite L, Vienna, Virginia, was a factoring company, that is, it purchased accounts receivables at a discount and took assignment of the right to receive payment of the unpaid receivables.
3. Casey entered into a Purchase and Sale Agreement dated April 21, 1997 with First Capital, under which Casey sold certain accounts receivable to First Capital.
4. Defendant DENNIS F. CASEY was a personal guarantor of the Purchase Agreement.

5. Casey was required to provide to First Capital signed acknowledgment forms that verified that the assigned invoice represented work that had been satisfactorily completed and for which payment would be made.

The Scheme To Defraud

6. From in or about October 1999, to in or about January 2000, at Philadelphia, in the Eastern District of Pennsylvania, and elsewhere, defendant

DENNIS F. CASEY

devised and intended to devise a scheme to defraud First Capital, and obtained money and property from First Capital by means of false and fraudulent pretenses, representations, and promises.

Manner and Means of Executing the Scheme

It was part of the scheme that:

7. Defendant DENNIS F. CASEY caused Casey employees to create fraudulent Casey invoices for work not completed for submission to First Capital.

8. Defendant DENNIS F. CASEY caused the submission of fraudulent invoices and acknowledgment forms to First Capital.

9. As a result of the scheme to defraud, defendant DENNIS F. CASEY caused a loss to First Capital of approximately \$12,768.

10. On or about November 5, 1999, at Philadelphia, in the Eastern District of Pennsylvania, having devised and intending to devise the scheme, defendant

DENNIS F. CASEY

for the purpose of executing the scheme and attempting to do so, caused to be transmitted by means of wire communication in interstate commerce a facsimile transmitted from Casey in Philadelphia, PA, to First Capital in Boca Raton, FL, that is, a false “Acknowledgement” form.

In violation of Title 18, United States Code, Section 1343.

PATRICK L. MEEHAN
United States Attorney